



Docket No.: 50323-017

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Uri TASCH, et al.

Serial No.: 09/827,311

Group Art Unit: 3736

Filed: April 06, 2001

Examiner: B.S. Szmal

For: METHOD AND APPARATUS FOR DETECTING LAMENESS IN ANIMALS

RULE 1.132 DECLARATION OF BENNY EREZ

Commissioner for Patents
Washington, DC 20231

Sir:

I, Benny Erez, declare and say as follows:

1. I received my BS. in Animal Science from the University of Maryland CP in 1981. I am presently the Research Coordinator, Animal Studies for the College of Agriculture and Natural Resources at the Central Maryland Research and Education Center, Clarksville Facility and have been the Research Coordinator since 11/2002. Previously, I was the Manager of Technology System in the College of Agriculture and Natural Resources at the Central Maryland Research and Education Center, Clarksville Facility from 1991 to 2002. My research has focused, in recent years, on the development of technology that detects lameness of various four legged animals, but has not been exclusively limited thereto.

2. I am a named co-inventor on the above-identified application. I have read, and am familiar with the pending Office Action in the above-identified application with the response filed herewith, and make this Declaration in support of the patentability thereof.

3. The cited reference to **Rajkondawar** is a publication by Parimal Rajkondawar, a graduate student advised by Uri Tasch during his doctoral studies at the University of Maryland, Baltimore County.

4. Parimal Rajkondawar in no way contributed to the inventive steps leading to the invention of the subject matter that is now the subject of U.S. Application No. 09/827,311. Instead, Parimal Rajkondawar made valued contributions to the implementation and testing of the invention developed by myself, Uri Tasch, Alan M. Lefcourt, and Mark Varner under the direction, supervision, and instruction of Uri Tasch.

5. Parimal Rajkondawar published the cited information on or about March 23, 2001, following the filing of the pending U.S. Provisional Patent Application No. 60/201,823, filed on May 30, 2000 to highlight his educational background and experience and, preferably solicit and obtain suitable employment upon completion of his doctoral studies in May of 2003.

6. The information published by Parimal Rajkondawar and cited by the Examiner did not reflect the inventive work of Parimal Rajkondawar, but of myself, Uri Tasch, Mark Varner, and Alan Lefcourt.

7. The information published by Parimal Rajkondawar and cited by the Examiner was, in fact, published on or about March 23, 2001, which is after the May 30, 2000, filing date of U.S. Provisional Patent Application No. 60/207,823.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated: 3/18/03

Benny Erez

Benny Erez
Research Coordinator, Animal Studies